

The Death of a Distinguished Lawyer, Doug Christie, "the Battling Barrister"

[Robert Faurisson](#)

Douglas (Doug) Christie has died.

For its part, the Canadian English-language press has put out the news in terms which, unfortunately, can be understood when one knows that Douglas Christie had especially made himself known for his uncompromising defense of a major figure of historical revisionism, Ernst Zündel. But – a happy surprise – at least one newspaper, the *Times Colonist* of Victoria, British Columbia, where Douglas Christie lived, has reminded its readers that it was this extraordinary barrister who in 1992 finally enabled Ernst Zündel to gain an unhoped-for victory against the religionists of “the Holocaust.”



Douglas Christie. Photo courtesy of Michael Hoffman | Revisionist History
: <http://revisionistreview.blogspot.com>

At the end of a nine-year struggle against various representatives of the Crown and a coalition of Jewish and allied organizations, Ernst Zündel, aided by Douglas Christie, the “Battling Barrister”, was able to get the Canadian Supreme Court to strike down the very section of the criminal code that had been the grounds for his prosecution and conviction, a section itself grounded in an obsolete article of an ancient English law (namely, Chapter 34 of the 1275 Statute of Westminster). Section 181 forbade the publication of “news that [one] knows is false and causes or is likely to cause injury or mischief to a public interest” (in the words of the judge during Zündel’s 1985 trial for having published the brochure *Did Six Million Really Die?*^[1], his activities had a “cancerous effect ... upon society’s interest in the maintenance of racial and religious harmony in Canada”). However, on August 27, 1992, the Court^[2] finally decided that the law was incompatible with Canada’s Charter of Rights and Freedoms.

A Frenchman accustomed to seeing his country’s justice system settle the fate of a revisionist in the space of one or two afternoons in the 17th chamber of the Paris criminal court might be astonished to learn that at Toronto, in 1985, the first Zündel trial lasted seven weeks and the second, in 1988, over four months. One may add that, in English-law (or common-law) countries, the contents of any trial are the subject of a full transcript, whilst in France, in “our” 17th chamber, generally, the clerk simply makes a few notes in the “*plumitif*”, the name given to the ledger in which he or she mentions merely *the main*

facts of the hearing. The result is as follows: when a person receives the text of a judgment regarding himself or herself and wants to know the terms in which the judges have recorded and appreciated what he or she personally said at the bar, there will usually be NOTHING or almost NOTHING! At most that person will have the satisfaction of coming upon an “aside” of the type “Mr X having been heard presenting his arguments”. A reader of this decision will thus learn that the person in question had orally put forth “arguments”, but will not know which ones! Nor will it be possible to know anything about the worth or non-worth that the judges have assigned to each of those “arguments”. The judges will perhaps do the reader the favor of expounding on (in their way) and judging the written pleadings filed by counsel at the start of the session, but they will hardly go any further. Curiously, French judges and most lawyers seem very comfortable indeed with these pretenses, a veritable sham. Between good pals, settled in their habits, they agree in relegating the person on trial to the least important rank. He or she is treated as a nuisance who, in any case, does not understand much of the shell game going on in which the lawyers, prosecutors and three judges are enjoying themselves, using the jargon that they share. As for the jury, they are conspicuous by their absence. The historian who, years later, will want to know what was actually said in the courtroom during such or such case, whether famous or obscure, can spare himself the trouble of looking.

Nothing of the kind in the English legal system, far more serious and severe, where one can know, word for word, what was said all throughout any past trial, be it that of the humblest citizen. And at least the latter will have been able to benefit from the presence of a jury. Douglas Christie was skilled in making this system actually provide the guarantees of fairness that it promised. He cared rather little for the judge whom, if necessary, he let know that his role ought to be more that of a referee. For the real barrister that he was, the only things that must count, at one end of the chain of procedure, were such sacred principles as that of full freedom of expression and *the refusal to be intimidated* and, at the other end, the jurors, always allowed, when the time came, to put questions and seek clarification. He shunned legal quibbling and, turning to the laymen, spoke to them in a language that was robust, direct and precise. He was captivating in his ability to provide a definition, or examples. He was impassive. He would have none of any showing-off. He liked the simple and concrete. He struck with his bold way of going straight to the burning heart of the matter to be dealt with. In common-law justice, chatter and theorizing are prohibited; there is no speech-giving and nearly everything is done by way of pointed and precise questions to be followed by answers as brief as possible. Lawyers and judges like facts and abhor the “emotional” (i.e. words or behavior liable to arouse emotion in one’s favor). As for the court-appointed expert, he is not, as is the case in France, recruited from a list of persons certified to be such but is rather one who, on the spot, after examination, cross-examination and re-examination before the judge and the jury, will have been able to demonstrate his experience, mastery of the subject and ability to make himself understood by the layman. I personally assisted Douglas Christie throughout the entire 1985 trial, and again for such part of the trial in 1988 as my health allowed. Our collaboration proved so successful that we managed, in 1985, to crush, in succession Raul Hilberg, Number One Historian of the “Destruction of the European Jews”, and Rudolf Vrba, Number One Witness of the alleged homicidal gassings at Auschwitz. The press at the time showed its surprise at the defense team’s high degree of preparation. Then, at the 1988 trial, the “Leuchter Report” on the alleged homicidal gas chambers at Majdanek, Auschwitz and Birkenau dealt the *coup de grâce* to the exterminationist case. On the strict level of science and history we had won all the victories that could be won but, of course, the mainstream media strengthened their Holocaust propaganda all the more. On the legal level, Ernst Zündel was provisionally guilty.

I forged a friendship with Doug Christie, who was of Scottish descent, and his wife Keltie Zubko, of Ukrainian origin. At the Zündel house in Toronto we used to call them, respectively, “the Devil” and “the Angel”. In itself, the atmosphere that reigned in those spacious rooms was an exceptional success at organization, allocation of tasks, keenness in work, enthusiasm and warmth, with inevitable episodes of tension and, at some moments, fear for our safety. Ernst Zündel has no match when it comes to inspiring dedication to the just cause of revisionism, and rarely in my long life have I seen a gathering of disinterested spirits of such high quality. Many names come to mind: I shall not mention any of them for fear of forgetting just one of those men and women who, together, wrote a fine page of the human experience. I shall allow myself one sole exception and mention Barbara Kulaszka, herself a barrister, daughter of a Scottish lady, whose name will go down in history for the monumental work *Did Six Million Really Die? / Report of the Evidence in the Canadian “False News” Trial of Ernst Zündel - 1988*,^[3] published in 1992.

For the rest of their lives, Keltie and her children should hold, in their memory of Doug Christie, reasons for pride, an example of courage and a source of energy.

Notes: jMarch 12, 2013

- [1] Richard E. Harwood, *Did Six Million Really Die? Truth at last Exposed* (Toronto: Samisdat Publishers Ltd.). Harwood's work was originally published in England by the Historical Review Press in 1974. Many different editions were published in various languages around the world. Online: <http://vho.org/aaargh/fran/livres5/harwoodeng.pdf>

- [2] [1992] 2 S.C.R. R. v. Zundel 731.
Online: http://www.iidh.ed.cr/comunidades/libertadexpresion/docs/le_otroscanada/r.%20v.%20zundel.htm

- [3] Barbara Kulaszka (ed)., *Did Six Million Really Die?: Report of the Evidence in the Canadian “False News” Trial of Ernst Zündel - 1988*, (Toronto: Samisdat Publishers Ltd., 1992).
Online: http://archive.org/details/didSixMillionReallyDie_452

| | |
|-------------------|--|
| Author(s): | Robert Faurisson |
| Title: | The Death of a Distinguished Lawyer, Doug Christie, "the Battling Barrister" |
| Sources: | <i>Inconvenient History</i> , 5(2) (2013) |
| Dates: | published: 2013-07-01, first posted: 2014-02-20 00:00:00 |

<https://www.inconvenienthistory.com/5/2/3211>